

U.S. DEPARTMENT OF COMMERCE

CHARTER OF THE

DIGITAL ECONOMY BOARD OF ADVISORS

- 1. Committee's Official Designation (Title).** Digital Economy Board of Advisors
- 2. Authority.** Authority for this discretionary Board is pursuant to Section 105 of the National Telecommunications and Information Administration (NTIA) Organization Act, 47 U.S.C. § 904 (b), which authorizes the Assistant Secretary of Commerce for Communications and Information to "establish one or more telecommunications or information advisory committees (or both) composed of experts in the telecommunications and/or information areas outside the Government." The Board is also being established in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended, U.S.C. App.
- 3. Objectives and Scope of Activities.** The Board's objective will be to provide advice and recommendations to the Secretary of Commerce, through the Assistant Secretary, on a broad range of issues concerning the digital economy and Internet policy. The Board will focus on ways to ensure the Internet continues to thrive as an engine of growth, innovation, and free expression. Among other things, the Board will gather information and provide an analysis of challenges related to the global free flow of information on the Internet, including policies that could restrict cross-border information flows. In carrying out its duties, the Board may also provide advice on other policy matters that impact the digital economy, such as expanding broadband capacity, enhancing cybersecurity, protecting privacy, examining the role of intermediaries, promoting the development of new digital technologies, and analyzing the impact of the Internet on job growth and the economy as a whole.
- 4. Description of Duties.** The Board's primary duty will be to provide independent advice and recommendations to the Secretary of Commerce, through the Assistant Secretary, on a broad range of policy issues impacting the digital economy. The Board will comply fully with all provisions of FACA.
- 5. Agency or Official to Whom the Board Reports.** The Board will report and provide advice to the Secretary of Commerce, through the Assistant Secretary for Communications and Information.
- 6. Support.** NTIA staff will provide support to the Board.
- 7. Estimated Annual Operating Costs and Staff Years.** The estimated annual operating costs associated with supporting the Board's functions are \$180,000 per year, including all direct and indirect expenses (such as Federal staff time and support). It is estimated that 1.5 FTEs will be required to support the Board and its subgroups.

Members will serve without compensation and the Department of Commerce will not reimburse members for travel or per diem, but will use electronic capabilities to the maximum extent possible to facilitate the work of the Board and minimize the cost of participation.

8. Designated Federal Officer. One or more full-time Government employees from NTIA will be appointed as the Designated Federal Officer (DFO) and Alternate DFO for the Board. In accordance with FACA, the DFO will approve and call all of the Board's meetings, prepare and approve all advisory Board and subcommittee meeting agendas, attend all Board and subcommittee meetings, and adjourn any meeting when directed to do so by the official to whom the advisory committee reports or if the DFO determines that adjournment serves the public interest.

9. Estimated Number and Frequency of Meetings. The Board will meet approximately quarterly. The chair(s) in consultation with the DFO will determine the particulars, including the date and time, and the DFO will call the meetings.

10. Duration. Continuing.

11. Termination. This charter will terminate two (2) years from the date it is filed unless terminated or renewed in accordance with FACA

12. Membership and Designation. The Board will be comprised of no fewer than five (5) members and no more than thirty (30) members. The membership must represent the points of view of a fair and balanced cross section of experts representing civil society, academia, and industry sectors that make up the digital economy. A description of required expertise is contained in the Board's Membership Balance Plan.

The Secretary of Commerce will appoint members of the Board for a two-year term. Board members will serve at the Secretary's pleasure and discretion and may be reappointed for additional terms. The Assistant Secretary, with input from the Secretary of Commerce, will appoint one or more members of the Board to serve as Chair or Co-Chairs. The Chair(s) will serve at the pleasure and discretion of the Assistant Secretary. Members of the Board are Special Government Employees (SGEs) and shall be subject to the Office of Government Ethics standards applicable to SGEs.

13. Subcommittees. The Assistant Secretary may create subcommittees, working groups, standing committees, ad hoc groups, task forces, or other subgroups necessary for the performance of Board's functions, subject to the provisions of FACA, the implementing regulations, and applicable Department of Commerce guidance.

All subgroups will report to the Board and will not provide any advice or work product directly to the Assistant Secretary, NTIA, or the Secretary of Commerce.

14. Recordkeeping. The records of the Board, formally and informally established subcommittees, or other subgroups of the Board, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of information Act, 5 U.S.C. 552. They will also be available, to the extent feasible, on NTIA's website.

Ellen Herbst

Chief Financial Officer and
Assistant Secretary for Administration

12/22/15
Filing Date